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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FLUIDIGM CORPORATION, A DELAWARE
CORPORATION; AND FLUIDIGM CANADA
INC., A FOREIGN CORPORATION,

Plaintiffs,

v.

IONPATH, INC., A DELAWARE
CORPORATION,

Defendant.

Case No. 3:19-cv-05639-WHA

**[PROPOSED] ORDER GRANTING
IONPATH, INC.'S PARTIAL
MOTION TO DISMISS PLAINTIFFS'
FIRST AMENDED COMPLAINT**

1 Before the Court is Defendant IONpath, Inc.'s Partial Motion to Dismiss Plaintiffs' First
2 Amended Complaint. Having considered the matter, the Court hereby **GRANTS** the motion.

3 Therefore, IT IS HEREBY ORDERED that Counts One, Three, Four, Six, Seven, Nine,
4 and Ten of Plaintiffs' First Amended Complaint are dismissed.

5 Further, IT IS HEREBY ORDERED that Plaintiff Fluidigm's prayer for relief of
6 enhanced damages pursuant 35 U.S.C. § 284 is denied.

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9 **IT IS SO ORDERED.**

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12 Dated: _____

13 Hon. William Alsup
14 United States District Judge
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